

# ELLIOTT & ELLIOTT, P.A.

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November 10, 2006

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Dept: 5A

to: <u>//-/3-86</u>

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VIA HAND DELIVERY

Mr. Charles L. A. Terreni Chief Clerk of the Commission SC Public Service Commission P. O. Drawer 11649 Columbia, SC 29211

RE:

Protestant Letters Submitted to South Carolina Public Service Commission regarding Application of Wyboo Utilities, Inc. for Approval of New Schedule

of Rates and Charges for Water and Sewer Services

PSC Docket No. 2005-13-W/S

Dear Mr. Terreni:

Enclosed please find with this letter six (6) protestant letters provided as to the above matter and docket for appropriate filing. These individuals are homeowners in the subdivision of Wyboo Plantation and did not testify at the night hearing held in Manning, SC, on October 30, 2006.

I would ask that the enclosed copy be date stamped and returned to my office via my courier. By copy of this letter, I am serving all parties of record.

We represent Wyboo Plantation Owners Association, Inc., and as our client, we have been asked to provide these protestant letters from some of their members to the docket.

Should you have any questions, please do not hesitate to call.

Sincerely,

ELLIOTT & ELLIOTT, P.A.

Charles H. Cook

CHC/mlw

**Enclosures** 

c: All parties of record w/enc.

## List of Protest Letters Wyboo Plantation Utilities, Inc. Docket No. 2005-13-W/S

Correspondent		Date of Letter
1.	Nancy J. Barr	October 21, 2006
2.	James F. Willhoit	October 18, 2006
3.	C. Patrick Harper	October 17, 2006
4.	Henry Boudreau	October 17, 2006
5.	Harry Christy & Fran Christy	October 16, 2006
6.	Bruce Bresky	Undated

October 21, 2006

Office of Regulatory Staff ATTN: The consumer Services Division 1441 Main Street Columbia, SC 29201

Re: Docket No. 2005-13-WS

To Whom It May Concern:

This letter consists of some of the many complaints I have had with Wyboo Plantation Utilities over the period of a couple of months. I had written notes about these problems and I am sending you this list of dates and my complaints. Whenever an outage has occurred, I have called and reported this to Wyboo Plantation Utilities.

July 10, 2006 – 7:29 AM

You will note the time I am writing this. I am writing this now for two reasons. The first reason is that I am very angry and the second reason is because I cannot do anything else. For the second time this month, we HAVE NO WATER. The weather is good, we have had no power outages and I cannot understand why this should have happened.

On July 3, 2006, we also got up at 7:00AM and HAD NO WATER.

Fortunately, I do not have to go to work, but this has effectively ruined my day, as it did on July 3<sup>rd</sup>. I cannot have any coffee, I cannot bathe and I cannot even brush my teeth. If we are as lucky today as we were on July 3<sup>rd</sup>, I may be able to do these things in an hour and a half.

I also want it to be known that we HAD NO WATER two other days. That occurred about a month ago. This makes a total of four times, so far this year that we were without water.

July 12, 2006 AM

Again there was no water this morning, when we got up. This is the second time this week and the fifth time this year. To my recollection, I have never had this many water outages.

This just plain carelessness and not caring by Wyboo Plantation Utilities, Inc. I think this inept company should have to answer to these issues. If this was a planned outage, for what ever reason, the people should have been informed ahead of time.

September 4, 2006

This is another one of my many complaints against Wyboo Plantation Utilities, Inc. I have been upset for years about the low pressure we have in the morning. I do have a chart that shows that my pressure is only half in the morning of what it is the rest of the

day. Since this is a summer issue, I have come to the conclusion that it has to do with the people watering their lawns early in the morning. However for what we are currently paying, I should not have to have this problem. We now have a tank. That was supposed to solve all these problems, but it has not changed one bit.

This has affected my like because I can not plan to do laundry until mid morning at the earliest. I cannot take a shower to start my day. I have to take the back off the toilet to force water into the tank to have the toilet flush properly. AND I AM TIRED OF IT.

I think these issues should be addressed considering the high price we are already paying for this inadequate service.

Sincerely,

Maney J. Barr Nancy J. Barr 2 Fairway Drive

Manning, SC 29102

Cc: Wyboo Plantation Owners Association - Public Utilities Committee

### JIM & EDIE WILLHOIT 106 OAK VIEW CIRCLE MANNING, SC 29102

October 18, 2006

Public Service Commission of South Carolina Attn: Docketing Department Post Office Drawer 11649 Columbia, SC 29211

RE: Docket No. 2005-13-W/S

Dear Sir or Madam:

We are writing in reference to the above docket. My wife and I have lived at Wyboo Plantation for the past 4 years and we are very concerned with the current service and the proposed increase for water and sewer service to our home. Please review/consider the following points of concern:

- Our current water and sewer rates are 35% higher than communities in the area. Summerton and Manning rates are much lower. Knowing this, Wyboo Utilities should be financially stable and making money if managed properly.
- The manager/owner of the Utilities, Mark Wrigley, is about the worst public service representative that I have ever experienced. He is confrontational, does not respond to problems on a timely basis, and appears to run this business as a sideline to supplement his income. I witnessed a confrontation where Wrigley verbally attacked my neighbor Frank Hill during December 04 over a sewer problem that his team caused.
- I have read through his supporting documentation for the rate increases. This is a rambling of excuses for a poorly run business. He blames all his problems on a system that he has not pro-actively tried to maintain and upgrade as he continues his business.
- We need your help in making sure that the proposed rate increases and the extortion level service fees are not approved. Hopefully, you will see through this proposal as what it truly is: A man running a business that has very little knowledge or ability to manage it.

Sincerely,

for Inwh

lames F. Willhoit

Office of Regulatory Staff
ATTN: The Consumer Services Division
1441 Main Street
Columbia, SC 29201

Re: Application of Wyboo Utilities Inc. for approval of New Schedule of Rates and Charges for Water and Sewer Rates Docket No. 2005-13-WS

The purpose of this letter is to report an incident that occurred in the first week of August of this year.

My neighbor's warning light for his septic system came on at some point in time. He thought that the pump might be defective and called Wyboo Plantation Utilities. A few days later (approx. 08/04/06) three people showed up to work on the problem. After the grass was removed and there was access to the pump area, I saw that the entire area was full of water. My neighbor said that the pump was okay and that the pipe coming out of the pump had broken. The three men placed a pump into the water and pumped the water onto the yard between my house and my neighbor's home. The odor was absolutely disgusting and was carried into my home through the air conditioning unit.

I went outside and asked the individuals what they were pumping on the grass; they said that it was "grey water" and that I would have the greenest grass in the neighborhood.

Sincerely,

C. Patrick Harper

cc: Wyboo Plantation Owners Association - Public Utilities Committee

Office of Regulatory Staff ATTN: The Consumer Services Division 1441 Main Street Columbia, SC 29201

Re: Application of Wyboo Utilities, Inc. for Approval of New Schedule of Rates and Charges for Water and Sewer Rates Docket No. 2005-13-WS

I am writing this letter to inform the ORS of a water pressure problem experienced in my home in the Wyboo Community, and also to reference an incident concerning Mr. Mark Wrigley at my residence.

On or about the 6<sup>th</sup> of March 2006, I was experiencing problems with low water pressure in my home located at 44 Plantation Drive in the plantation. I attributed the lack of water pressure to a possible water line problem elsewhere in the community and figured I would wait and see if it went away by itself. After talking to a few of my neighbors later that day, I found out that they too had the same problem but had experienced it for a longer period of time than I had.

I called the property manager (Jim Willhoit) and was informed that yes there was a problem with the water pressure in the community and that Mr. Wrigley had been notified. I knew that flooding Mr. Wrigley's answering machine with messages wasn't going to help resolve the issue any faster, so I just waited until the problem got resolved.

On Friday the 31<sup>st</sup> of March, I was out of town and informed by my neighbor Bob Drost that while I was gone that Mr. Wrigley was in my backyard with a camera taking pictures. Not knowing who it was at the time, Bob confronted Mr. Wrigley and asked him who he was and what he was doing in our backyard with a camera. Mr. Wrigley told him in a very arrogant way "it's none of your business." At which time Bob informed him that as a neighbor and homeowner in the plantation that it was very much his business when he sees a stranger walking around in my backyard with a camera around his neck. The conversation continued to go south from there with Mr. Wrigley finally getting back in his truck and leaving.

I'm sure that Mr. Wrigley is aware that his only access to my property located at 44 Plantation Drive is to the easement granted the utility at the roadside, not down at the lake in my backyard. If Mr. Wrigley would have contacted me in person and explained what he was looking for, I don't think that I would have had a problem answering any questions he might have had concerning water issues. I considered it a very poor example of proper business etiquette on his behalf. I let the issue drop while keeping a copy of the letter that Bob Drost had sent to our Board of Directors for future reference should I need it.

HENRY BOUDREAU

Cc: Wyboo Plantation Owners Association - Public Utilities Committee

COPY

Harry R. and Frances C. Christy 117 Oakview Circle, Wyboo Plantation Manning, SC 29102 803-478-2265

October 16, 2006

Office of Regulatory Staff

Attn: Consumer Services Division

1441 Main Street Columbia, SC 29201

Re:

Application of Wyboo Plantation Utilities, Inc. for Approval of New Schedule of Rates and Charges for Water and Sewer Rates - Docket No. 2005-13-WS

#### Gentlemen:

We are writing to express our extreme concern regarding the proposed rate increases for our water and sewer service here at Wyboo Plantation. It seems inconceivable that an increase from a monthly charge of \$38 to a monthly charge of approximately \$192 could be justified under any circumstance. Wyboo Plantation Utilities, Inc. has also expressed its desire to transfer all maintenance and maintenance costs to the homeowners of Wyboo Plantation!

My husband is a retired teacher and I am a retired legal secretary. We moved to Wyboo Plantation in August of 2004 from New Jersey and live here full time. This is not a vacation home for us -- we are residents twelve months a year. We support the local economy in Manning, and we truly love South Carolina.

Besides the beauty of this State and the friendliness and kindness of its residents, we moved here for financial reasons. The cost of living appealed to us, as we live on my husband's teacher's pension. We have no other income at this time. Our house is fully mortgaged and our monthly income is fixed. The proposed rate increase would really put a dent in our monthly income, and we are, naturally, worried about this.

The rate increase and maintenance transfer Wyboo Plantation Utilities, Inc. is proposing is preposterous. We are concerned about how this will affect the value of our home in Wyboo Plantation. My husband and I have everything we own invested in this home.

We respectfully request that you investigate fully Wyboo Plantation Utilities, Inc. and any related entity of Mr. Wrigley before considering this Application for a rate increase and any future Applications of Mr. Wrigley and any of his entities.

Thank you for your consideration.

Very truly yours,



Offices of Regulatory Staff

**ATTN: The Consumer Services Division** 

1441 Main Street Columbia SC 29201

Re: Application of Wyboo Utilities, Inc. Approval of New Schedule of Rates and charges for Water and Sewer Rates

Docket No.2005-13-WS

I feel that a 400% rate increase by WPU is unrealistic. I would like to make some comparisons of a 400% rate increase to some of my other bills. The \$1920.00 per year requested water and sewer rate is \$600.00 more than I pay for property taxes, \$680.00 more than my Federal income taxes and \$536.00 more than my electric bill. As shown by these comparisons, anyone can see an increase such as this is totally unrealistic.

I strongly feel that the proposed increase by WPU will have a huge negative impact on property values. Who is going to buy in an area where the water bill is higher than property taxes?

Sin<del>cere</del>ly

**Bruce Bresky** 

Cc: Wyboo Plantation Owners Association – Public Utilities Committee

## **CERTIFICATE OF SERVICE**

The undersigned employee of Elliott & Elliott, P.A. does hereby certify that she has served below listed parties with a copy of six (6) protestant letters on behalf of Wyboo Plantation Owners Association, Inc., indicated below by mailing a copy of same to them in the United States mail, by regular mail, with sufficient postage affixed thereto and return address clearly marked on the date indicated below:

RE:

Application of Wyboo Plantation Utilities, Inc. for

Approval of New Schedule of Rates and Charges for Water

and Sewer Services

Docket No.:

2005-13-WS

**PARTIES SERVED:** 

Wendy B. Cartledge, Esquire C. Lessie Hammonds, Esquire Office of Regulatory Staff

P. O. Box 11263 Columbia, SC 29211

John F. Beach, Esquire

Ellis, Lawhorne & Sims, P.A.

P. O. Box 2285

Columbia, SC 29202

Robert E. Tyson, Jr., Esquire

Sowell Gray Stepp & Laffitte, LLC

P. O. Box 11449 Columbia, SC 29211

Marcia L. Walters, Legal Assistant

November 10, 2006